

# INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/03521

**A. CLASSIFICATION OF SUBJECT MATTER**  
IPC 7 C11D17/00

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C11D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	GB 1 514 264 A (PROCTER & GAMBLE) 14 June 1978 (1978-06-14) page 2, line 63 - line 72 page 4, line 18 - line 43; claims; examples	1,5-7,9
X	EP 0 635 569 A (UNILEVER NV ;UNILEVER PLC (GB)) 25 January 1995 (1995-01-25) page 3, line 38 -page 5, line 10; claims 1-8; examples	1,2,4-7, 9

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

\* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

8 June 2000

Date of mailing of the international search report

30/06/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Grittern, A

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>DATABASE WPI  Section Ch, Week 198311  Derwent Publications Ltd., London, GB;  Class D25, AN 1983-26638K  XP002139808  &amp; JP 58 021497 A (LION CORP),  8 February 1983 (1983-02-08)  abstract</p> <p style="text-align: center;">---</p>	1,5-7,9
X	<p>US 4 265 781 A (GROSS WILLIAM S ET AL)  5 May 1981 (1981-05-05)  the whole document</p> <p style="text-align: center;">---</p>	1,5-7
A	<p>GB 2 168 377 A (PROCTER &amp; GAMBLE)  18 June 1986 (1986-06-18)  page 1, line 5 - line 20  page 4, line 31 - line 55; claims; example  1</p> <p style="text-align: center;">---</p>	1,2,4,9, 10
A	<p>EP 0 344 909 A (COLGATE PALMOLIVE CO)  6 December 1989 (1989-12-06)  page 9, line 43 -page 10, line 3; claims</p> <p style="text-align: center;">---</p>	1,2,4,6, 7,9
A	<p>DATABASE WPI  Section Ch, Week 199008  Derwent Publications Ltd., London, GB;  Class D25, AN 1990-056506  XP002139809  ANONYMOUS: "Cellulose fibre - for use in  detergent compsns. to prevent deposition  on laundered fabrics"  abstract  &amp; RESEARCH DISCLOSURE,  vol. 309, no. 040,  10 January 1990 (1990-01-10),  Emsworth, GB</p> <p style="text-align: center;">-----</p>	1,12

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Patent document cited in search report		Publication date	Patent family member(s)	Publication date
GB 1514264	A	14-06-1978	LU 70752 A	19-08-1976
			BE 832537 A	19-02-1976
			DE 2536594 A	04-03-1976
			FR 2282468 A	19-03-1976
			IT 1041915 B	10-01-1980
			NL 7509797 A	23-02-1976
EP 0635569	A	25-01-1995	NONE	
JP 58021497	A	08-02-1983	NONE	
US 4265781	A	05-05-1981	NONE	
GB 2168377	A	18-06-1986	NONE	
EP 0344909	A	06-12-1989	US 4889652 A	26-12-1989
			AU 620867 B	27-02-1992
			AU 3394889 A	02-11-1989
			BR 8902066 A	05-12-1989
			DK 214889 A	03-11-1989
			JP 2064200 A	05-03-1990
			MX 163648 B	10-06-1992
			NZ 228902 A	26-03-1991
			PH 26193 A	18-03-1992
			ZA 8903144 A	28-12-1990

# PATENT COOPERATION TREATY

## PCT

REC'D 02 MAR 2001

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### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 7419/JB	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/03521	International filing date (day/month/year) 09/02/2000	Priority date (day/month/year) 10/02/1999
International Patent Classification (IPC) or national classification and IPC C11D17/00		
Applicant THE PROCTER & GAMBLE COMPANY et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 7 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 17/07/2000	Date of completion of this report 01.03.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Giese, H-H Telephone No. +49 89 2399 8488 

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/03521

## I. Basis of the report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).):*

**Description, pages:**

1-101 as originally filed

**Claims, No.:**

1-12 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

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*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes:	Claims	8
	No:	Claims	1-7,9-12
Inventive step (IS)	Yes:	Claims	1-12 if novel
	No:	Claims	-
Industrial applicability (IA)	Yes:	Claims	1-12
	No:	Claims	-

2. Citations and explanations  
**see separate sheet**

**VII. Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:  
**see separate sheet**

**VIII. Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:  
**see separate sheet**

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**Re Item V Reasoned statement under Article 35(2) with regard to novelty,  
inventive step or industrial applicability; citations and  
explanations supporting such statement**

**1. Cited documents**

The following documents (D) are referred to in this communication:

D1: GB-A-1 514 264

D2: EP-A-0 635 569

D3: JP-A-58021497 (Derwent Abstract)

D4: GB-A-2 168 377

**2. Novelty (Article 33(2) PCT)**

- 2.1. Document D1 (see p. 2, lines 63-72, page 4, lines 17-43, examples) discloses the incorporation of a density reducing phosphate ester into a particulate detergent solid which does not comprise enzymes.

Document D2 discloses (see page 3, line 39 to page 5, line 10; examples, claims 1-8) a particulate compositions having no enzymes and comprising carrier material and silica (Sipernat® D17) which is present neither in the form of microspheres nor in cavity-form nor in pore-form.

Document D3 (see abstract) discloses a fine powder additive having a low density for detergent compositions having no enzymes.

Document D4 (see page 1, lines 5-19, page 4, lines 33-55, example, claims) discloses density reducing glass microspheres together with non-enzyme detergent ingredients to form a particulate solid for detergent compositions.

- 2.2. With respect to documents D1, D3 or D4 the claims 1 to 7 are not novel (Article 33(2) PCT).
- 2.3. It should be stressed that for sake of examining neither the technical problem to be solved nor the preferred embodiments of the claims have not been

**INTERNATIONAL PRELIMINARY  
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considered because they are considered as not limiting the claims in any manner.

- 2.4. Prior art documents (D1, D2, D3 or D4) do not disclose products comprising instructions together with detergent compositions. Therefore, claim 8 appears to be novel (Article 33(2) PCT).
- 2.5. Independent claims 9 to 12 of the present application describe a method for laundering fabrics and several methods which define that stabilizing is achieved by adding the particulate solid to the liquid laundry detergent composition. A method for laundering fabrics according to independent claim 9 is revealed eg. in D2 (p. 10, l. 6-9). The methods as defined in claims 10-12 describe stabilizing methods which are disclosed explicitly or implicitly in prior art document D4 which describes the advantages of using low density components (see p. 1, l. 5-19). Thus, claims 9 to 12 are not novel (Article 33(2) PCT).

**3. Inventive Step (Article 33(3) PCT)**

The technical problem to be solved by the present invention was to stably suspend and/or incorporate detergent ingredients in the form of solid particulates into laundry detergent compositions (see page 3, lines 18-31 and page 4, lines 1-11). The proposed solution is to prepare a detergent composition comprising particulate solid density-reducing components that reduce the tendency of particulate solids to sediment and/or settle out of liquid laundry detergent compositions (see page 4, §1, 2).

None of the prior art documents cited in the international search report in the field of laundry detergent compositions (in particular D1, D2, D3) deal with the same technical problem and cannot be combined in a reasonable way to arrive at the proposed solution of the present application. Document D4 relates to thixotropic liquid dishwashing detergent compositions which belong to another technical field and the skilled man in the art would not consider.

After the claims have been become novel over cited documents, the claims of the present application will be considered inventive (Article 33(3) PCT).



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**4. Industrial Applicability (Article 33(4) PCT)**

The claimed invention appears to be industrial applicable in the fields of detergents and therefore present application meets the requirements of Article 33(4) PCT).

**Re Item VII Certain defects in the international application**

1. As required by Rule 5.1(a)(ii) PCT, it is appropriate to identify documents D1, D2 and D3 and to discuss the relevant background art disclosed therein briefly (see also the Guidelines II, 4.4 PCT).
2. The application numbers and internal case numbers cited in the description (pages 20, 54, 81, 82, 83, 84, 93) cannot be found so easily as the corresponding publication numbers.
3. The statements (see page 6, 15, 16, 19, 20, 22, 38, 45, 58, 59, 100) that cited documents are incorporated merely be referred thereto does not permit the extension of the present disclosure to be clearly determined (see the Guidelines II, 4.17 PCT).

**Re Item VIII Certain observations on the international application**

1. The claims do not meet the clarity requirements of Article 6 PCT.  
The terms "solid density-reducing component" and "non-enzyme detergent ingredients" obscure the scope of the claim 1, since they are very broad and it is not clear which compounds are meant (Article 6 PCT, the Guidelines III, 4.3 PCT).
2. The feature "preferably selected from the group consisting of non-bleaching agent" of claim 1 has been omitted from the description. Its presence in the description is necessary to provide support for the claim as required by Article 6 PCT.

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3. Claim 3 does not meet the requirements of Article 6 PCT in that the matter for which protection is sought is not defined. The claims attempt to define the subject-matter ("capable of expanding ... such that the microsphere's volume increases") in terms of the result to be achieved. Such a definition is only allowable under the conditions elaborated in the Guidelines III, 4.7 PCT.
4. The number of independent method claims does not comply with Article 6 and Rule 6.1 (a)(b) PCT (the Guidelines III, 3.3 and 5 PCT), since more than one independent claim of the same category should be avoided. Present independent claims 10 to 12 appear to relate basically to the method of stabilizing the laundry composition.
5. The gel form as defined in claim 7 appears not to be supported correctly by the description on page 28, lines 14-27 (Article 6 PCT). From that passage of the description it is not clear whether the anionic surfactant component ("a") is a low density filler particulate and "one or more of the following ingredients" ("b") are particulate solids.  
The same applies to the non-aqueous liquid detergent composition of claim 7 and contrary to that page 12, lines 10-19.
6. The feature "non-enzyme detergent composition" is not consistent with the fact that present description pages 69-90 explicitly disclose enzymes as ingredients.
7. The feature "non-bleaching agents" is not consistent with the feature "bleaching agents" of claim 5 and description pages 56-69.

## PATENT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents  
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in its capacity as elected Office

<b>Date of mailing (day/month/year)</b> 12 September 2000 (12.09.00)	
<b>International application No.</b> PCT/US00/03521	<b>Applicant's or agent's file reference</b> 7419/JB
<b>International filing date (day/month/year)</b> 09 February 2000 (09.02.00)	<b>Priority date (day/month/year)</b> 10 February 1999 (10.02.99)
<b>Applicant</b> BROECKX, Walter, August, Maria et al	

1. The designated Office is hereby notified of its election made:



in the demand filed with the International Preliminary Examining Authority on:

17 July 2000 (17.07.00)



in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO  
 34, chemin des Colombettes  
 1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

Charlotte ENGER

Telephone No.: (41-22) 338.83.38

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